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June 5, 1997

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Federal Communications Commission
Office of Secretary

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: NPA Overlay, CC Docket No. 96-98

Dear Mr. Caton:

In the FCC's Second Report and Order in CC Docket 96-98, paragraph 286 outlines two conditions which must be met before an all-services overlay can be implemented. The first condition deals with the requirement to implement 10 digit local dialing by all customers between and within area codes in the area covered by the new code. SBC fully supports this requirement. The second condition states:

"Availability to every existing telecommunications carrier, including CMRS providers, authorized to provide telephone exchange service, exchange access, or paging service in the affected area code 90 days before the introduction of a new overlay code, of at least one NXX in the existing area code, to be assigned during the 90-day period preceding the introduction of the overlay."

As we have previously stated in our Petition for Reconsideration of the Second Report and Order (CC Docket 96-98) filed October 7, 1996, pp 27-28, SWBT interprets the requirement to assign at least one NXX to every authorized telecommunications carrier, including CMRS providers, to mean assignments to carriers which have not previously been assigned an NXX from the exhausting NPA. Providing an NXX to all providers, even those incumbent companies already having NXXs within the exhausting NPA, would be an inefficient use of the numbering resource. The California PUC reached the same conclusion in a recent decision regarding NPA relief in California (Decision 96-12-086, December 20, 1996, pp 30-31).

In addition, SWBT interprets the Commission's second condition as requiring the assignment of NXXs to authorized, **facility-based** providers in the affected area. Assignment of NXXs to all authorized providers in the area, including non-facility-based providers, would mean the assignment of NXX codes to carriers currently operating in an

Mr. William F. Caton
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area without a unique NXX. Again, such a practice would be an inefficient use of the numbering resource and could dramatically accelerate exhaust.

It is critical to note that the Industry Numbering Committee (INC) has reached consensus that central office codes (NXXs) should be assigned only to providers who own switching facilities capable of supporting the assignment. Attached for your reference are two industry-approved documents relating to the assignment of NXXs to non facilities-based carrier (resellers):

- Industry Numbering Committee (INC) Issue # 099 where industry consensus was reached that NXXs should be assigned only to facilities-based carriers.
- The latest version of the INC-approved Central Office Code (NXX) Assignment Guidelines (dated April 1997), reflecting the industry consensus reached on Issue #099. Please refer to Sections 1, 3.1, and 4.1.

Based on this, SBC supports the following clarification to the second condition:

(2) Availability to every existing telecommunications carrier, including CMRS providers, authorized to provide telephone exchange service, exchange access, or paging service in the affected area code 90 days before the introduction of a new overlay code, of at least one NXX in the existing area code, to be assigned during the 90-day period preceding the introduction of the overlay. This condition applies only to telecommunications carriers who: a) do not already have an NXX in the existing area code; and b) are qualified for an NXX assignment per the latest version of the Industry Numbering Committee (INC)-approved Central Office Code (NXX) Assignment Guidelines (dated April 1997).

Please feel free to call me at 202-326-8890 or Mike Bennett at 314-235-1533 if you would like to discuss this matter in more detail.

Sincerely,



Link Brown

Attachment

cc: Ms. Marian Gordon
Mr. Gregory Cook
Ms. Renee Alexander
Mr. Scott Shefferman

INDUSTRY NUMBERING COMMITTEE (INC) ISSUE IDENTIFICATION FORM

ISSUE TITLE:

Assignment of CO Codes to Resellers

ISSUE ORIGINATOR: Phyllis Anderson

*COMPANY: Southwestern Bell

*TELEPHONE #: 314 331-1773

*REQUESTED RESOLUTION DATE: 12/13/96

ISSUE #: 099 Page 2 of 2

DATE SUBMITTED: 9/19/96

DATE ACCEPTED: 9/19/96

WORKSHOP ASSIGNED: DMM

CURRENT STATUS: Resolved

RESOLUTION DATE: 4/4/97

5. RESOLUTION:

At INC29, agreement in concept was reached that CO codes shall be assigned only to providers who own switching facilities capable of supporting the assignment. INC reached consensus on the following changes to Sections 1.0, 3.1 and 4.1 of the CO Code Assignment Guidelines. The incorporation of these changes resolves this issue.

Section 1, 2nd para.: These guidelines apply only to the assignment of CO codes (NXX) within geographic numbering plan areas (NPAs). This does not preclude a future effort to address non-geographic NPAs in the same guidelines. **CO codes (NXXs) are assigned for use at a Switching Entity or Point of Interconnection they own or control. Entities assigned CO Codes are termed "code holders".** While the ultimate delivery of any call to a CO code (NXX) need not be geographically identified, by necessity initial routing is geographically defined. Therefore, for assignment and routing purposes, the CO code (NXX) is normally associated.....

Section 3.1: **CO codes (NXXs) are assigned to entities for use at a Switching Entity or Point of Interconnection they own or control.** Central office codes (NXX) as part of NANP telephone numbers, are to be assigned.....

Section 4.1: **CO codes (NXXs) are assigned to entities for use at at a Switching Entity or Point of Interconnection they own or control.** Assignment of the initial code(s) will be to the extent.....

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WORKSHOP ASSIGNED: DMM

CURRENT STATUS: Resolved

RESOLUTION DATE: 4/4/97

- *1. **ISSUE STATEMENT:** The present Central Office Code Guidelines does not address the assignment of CO Codes to resellers. Resellers, or non-facilities based providers, are those entities that own neither switching facilities nor transmission facilities. The CO Code Guidelines need to be updated to definitively address the assignment of CO Codes to resellers.
- *2. **SUGGESTED RESOLUTION OR OUTPUT/SERVICE DESIRED:** Review, discuss and potentially modify sections 1, 3 and 4 (and other sections, as appropriate) of the CO Code Guidelines to explicitly address the assignment of CO Codes to resellers.
- *3. **OTHER IMPACTS (if any):**
4. **CURRENT ACTIVITY:**
 - INC27 Issue accepted
 - INC28 Issued discussed and action items assigned related to regulatory definition(s) of reseller and draft text.
 - INC29 - Issue reviewed. Recommended text changes will be submitted for next meeting.
 - INC30 - Issue accepted for Initial Closure.
 - INC31 Issue accepted for Final Closure

*Co-Chairs: Mary Ann Weldon, NECA
Paula Jordon, AirTouch*

(continued on next page)

UPDATED: 4/4/97

INC

**INDUSTRY
NUMBERING
COMMITTEE**

**UNDER THE AUSPICES OF
THE CARRIER LIAISON
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**Central Office Code (NXX)
Assignment Guidelines**

This revision incorporates agreements associated with the resolutions to INC Issues #099, #100 and #101 which have resulted in changes to Sections 1, 3.2, 3.2, 4.1 and 6.1.1. The forms associated with these guidelines have not been revised and can be obtained from the ATIS internet home page [www.atis.org].

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Appendices A to F**Central Office Code (NXX) Assignment Request and Confirmation Forms**

- Part 1 - Request for NXX Code Assignment
- Part 2 - Routing and Rating Information (Forms 1-6)
- Part 3 - Administrator's AResponse/Confirmation
- Part 4 - Confirmation of Code Activation

1.0 Purpose and Scope of This Document

This document specifies guidelines for the assignment of central office codes (also referred to as CO codes in this document). The term CO code or NXX refers to sub-NPA destination codes for addressing. Sub-NPA refers to digits D-E-F of a 10-digit the NANP Area address, e.g., 740 is the CO code (NXX) in (201) 740-1111. Examples of uses for CO codes (NXX) for which these guidelines apply include plain old telephone service (POTS), Centrex, Direct Inward Dialing (DID), cellular mobile service, pagers, data lines, facsimile, coin phones, and customer owned pay phones. While these guidelines were developed at the direction of the FCC,¹ they do not supersede controlling appropriate NANP Area governmental or regulatory principles, procedures and requirements. These industry consensus guidelines are expected to apply throughout the NANP Area subject to procedures and constraints of the NANP Area administrations unless the affected administrations direct otherwise.

These guidelines apply only to the assignment of CO codes (NXX) within geographic numbering plan areas (NPAs). This does not preclude a future effort to address non-geographic NPAs in the same guidelines.² **CO codes (NXXs) are assigned for use at a Switching Entity or Point of Interconnection they own or control. Entities assigned CO Codes are termed "code holders".** While the ultimate delivery of any call to a CO code (NXX) need not be geographically identified, by necessity initial routing is geographically defined. Therefore, for assignment and routing purposes, the CO code (NXX) is normally associated with a specific geographic location within an NPA, from which it is assigned. For some companies this is also used for billing purposes.

2.0 Assumptions and Constraints

The development of the assignment guidelines include the following assumptions and constraints.³

¹ This effort has been undertaken at the direction of the Federal Communications Commission (FCC), in a letter to NANPA dated June 21, 1991, in an attempt to develop guidelines that can be applied uniformly while using a finite numbering resource in the most efficient and effective manner possible.

² Separate guidelines apply to the assignment of NXX codes within currently assigned Service Access Codes (SACs), and others will be developed, as appropriate, as new SACs are assigned by NANPA. For example, NXX assignment guidelines for the 800 and 900 SACs are available. Separate guidelines also will be prepared to address the assignment of numbering resources reserved for non-geographic applications.

³ At present, various procedures are employed to recover costs associated with the assignment and implementation of codes. The treatment of these or any future costs associated with CO code assignments is not addressed in these guidelines.

3.0 Assignment Principles

The following assignment principles apply to all aspects of the CO code (NXX) Guidelines:

- 3.1 CO codes (NXXs) are assigned to entities for use at a Switching Entity or Point of Interconnection they own or control.** Central office codes (NXX), as part of NANP telephone numbers, are to be assigned only to identify initial destination addresses in the public switched telephone network (PSTN), not addresses within private networks.
- 3.2 Central office codes (NXX) are a finite resource that should be used in the most effective and efficient manner possible.** All applicants for central office codes (NXX) will be required to provide technical and, for an additional code request, quantitative support for their code requests, to demonstrate that these guidelines are satisfied. The quantitative information required for an additional code request (i.e., The Months to Exhaust Certification Worksheet) should be retained by the applicant for use in the event of an audit or regulatory initiative. (See Section 4.2.1)
- 3.3 Information that is submitted by applicants in support of code assignment shall be kept to a minimum, shall be uniform for all applicants, and on request shall be treated as proprietary and adequately safeguarded.** Information requested for RDBS and BRIDS will become available to the public upon input into those systems.
- 3.4 Central office codes shall be assigned in a fair and impartial manner to any applicant that meets the criteria for assignment as detailed in Section 4.0.**
- 3.5 Applicants for central office codes must comply with all applicable local governmental, state, federal and the NANP Area governmental regulations relative to the services they wish to provide.**
- 3.6 Any entity that is denied the assignment of one or more central office codes under these guidelines has the right to appeal that decision per Section 11.**

- 3.7 Affected parties⁶ in a given geographic area have the right and will be given the opportunity to participate as early as possible in the process of determining the alternatives for addressing CO code (NXX) exhaust and relief in that area before the Code Administrator(s) submits a final recommendation to the relevant regulatory body.

4.0 Criteria for the Assignment of Central Office Codes

The assignment criteria in the following sections shall be used by Code Administrator(s) in reviewing a central office code assignment request from a service provider for an initial and/or an additional code:

- 4.1 **CO codes (NXXs) are assigned to entities for use at at a Switching Entity or Point of Interconnection they own or control.** Assignment of the initial code(s) will be to the extent required to terminate PSTN traffic as authorized or permitted by the appropriate regulatory or governmental authorities, and provided all the criteria in Sections 4.1.1 through 4.1.3 are met. An initial code assignment will be based on identification of a new switching entity, physical point of interconnection (POI), or unique rate center⁷ consistent with regulatory restriction. Utilization criteria or projection will not be used to justify an initial NXX assignment.
- 4.1.1 The applicant must certify a need for NANP numbers, e.g., provision of local or cellular service in the Public Switched Telephone Network.
- 4.1.2 The applicant must submit an NXX request form certifying that a need exists for an NXX assignment to a point of interconnection or a switching entity due to routing, billing or tariff requirements. The NXX request form must provide an Operating Company Number (OCN) which uniquely identifies the applicant.
- 4.1.3 The applicant must be licensed or certified to operate in the area, if required, and must demonstrate that all applicable regulatory authority required to provide the service for which the central office code is required has been obtained.

⁶ Affected parties are a) those entities that have applied for and/or received central office code (NXX) assignments or reservations within the NPA per Section 4.0 of these Guidelines; b) all interested members of the industry within the affected NPA.

⁷ Multiple NXX codes, each associated with a different rate center, may be assigned to the same switching entity/POI. Such arrangements may require "Meet Point Billing-like" considerations to permit proper recovery of interconnection charges (see also Section 6.2.3).